

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

GLOBAL SALES GROUP, CORP.

Plaintiff

v.

SENCI POWER USA, INC. D/B/A A-IPOWER,  
CORP.

Defendants

CIVIL ACTION NO. 23-cv-1213(SCC)

BREACH OF CONTRACT; VIOLATION  
OF THE PUERTO RICO DEALER'S ACT,  
Act No. 75 of June 24, 1964, as amended,  
10 P.R. Laws Ann. § 278 et seq.;  
DEMAND FOR TRIAL BY JURY

**JOINT MOTION REQUESTING THE MODIFICATION OF THE DISCOVERY PLAN AND  
TO RE-SCHEDULE**

**TO THE HONORABLE COURT:**

**COMES NOW**, Plaintiff Global Sales Group, Corp., (“GSG”) and Defendant A-iPower, Corp. (“AIP”), through the undersigned counsel, and respectfully request to modify the discovery plan as follows:

1. On July 5<sup>th</sup>, 2024, AIP filed a Motion to Compel (“MTC”). The MTC and its resolution will impact the discovery plan agreed to by the parties and approved by this Honorable Court on November 2, 2023. (ECF No. 28). Thus, the parties request that the discovery plan and pending deadlines be modified to allow this Honorable Court to resolve the Motion to Compel.

2. To summarize, the discovery plan agreed at the Initial Conference<sup>1</sup> is as follows:

- a) Depositions of fact witnesses had to be completed by May 31, 2024.
- b) Experts’ depositions were to be taken by August 30, 2024.
- c) Discovery had to be completed by October 1, 2024.

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<sup>1</sup> ECF 28.

- d) Dispositive motions had to be filed by November 16<sup>th</sup>, 2024.
- e) The Joint Proposed Pretrial Order is to be filed by November 10, 2024. (ECF 34).

3. Nonetheless, and due to pending discovery issues, the parties have agreed to modify the dates for the deposition of fact and expert witnesses within the time allotted by this Court to complete discovery.<sup>2</sup> At present, AIP took the deposition of Christopher Giallanza from The Home Depot and GSG will take the depositions of various AIP representatives during the month of August 2024. However, the briefing schedule of the MTC and its resolution will require that the depositions that AIP will take of GSG's representatives be re-scheduled. It is AIP's position that the information sought through the Motion to Compel is essential for it evaluate the allegations and damages raised by GSG in the Amended Complaint. GSG, in turn, has not waived its objection to the relief sought by AIP.

4. Therefore, the parties request this Honorable Court to modify the discovery plan and the dates in which to file dispositive motions and the pre-trial order as follows:

- a. The depositions of fact witnesses should be completed on or before November 21<sup>st</sup>, 2024.
- b. Plaintiff's expert report would be due on December 23, 2024.
- c. Defendant's expert report would be due on January 23, 2025.
- d. Experts' depositions would be taken on or before February 28<sup>th</sup>, 2025.
- e. The discovery deadline would be February 28<sup>th</sup>, 2025.
- f. The dispositive motions would be filed on or before March 31<sup>st</sup>, 2025.
- g. The pretrial order would be due on April 30<sup>th</sup>, 2025.

5. The parties represent to this Honorable Court that there is good cause for resetting of the discovery deadlines, that the extension requested is sought in good faith and that it will not unduly delay the instant proceedings.

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<sup>2</sup> Exhibit (email April 17<sup>th</sup>, 2024)

WHEREFORE, the parties hereby respectfully request that this Honorable Court take notice of the above and modify the discovery plan and other deadlines as requested herein.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on this 15<sup>th</sup> day of July 2024.

I HEREBY CERTIFY: I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties of record.

<p><b><i>Counsel for Plaintiff, Global Sales Group Corp.</i></b></p> <p><b>EDGE Legal, LLC</b> 252 Ponce de León Ave. Citibank Tower, Suite 1200 San Juan, Puerto Rico 00918 Tel. (787) 522-2000 Fax (787)522-2010</p> <p><u>/s/Eyck O. Lugo</u> USDN 216708 <a href="mailto:elugo@edgelegal.com">elugo@edgelegal.com</a></p> <p><u>/s/Adriana M. Vega Hernández</u> USDC PR No. 305113 <a href="mailto:avh@edgelegal.com">avh@edgelegal.com</a></p>	<p><b><i>Counsel for Defendant, Senci Power USA, Inc. d/b/a A-IPower Corp.</i></b></p> <p><b>MELLADO &amp; MELLADO-VILLARREAL LLC</b> 165 Ponce de León Ave., Suite 102 San Juan, PR 00917-1235 Tel. (787) 767-2600</p> <p><u>/s/ Jairo Mellado-Villarreal</u> USDC No. 208112 <a href="mailto:jmellado@mellado.com">jmellado@mellado.com</a></p> <p><u>/s/ Tessie Leal - Garabis</u> USDC No. 218408 <a href="mailto:tlead@mellado.com">tleal@mellado.com</a></p> <p><u>/s/ Héctor J. Orejuela-Dávila</u> USDC No. 301111 <a href="mailto:horejuela@mellado.com">horejuela@mellado.com</a></p>
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